

ASSEMBLY BILL

No. 1194

Introduced by Assembly Member Dutra

February 21, 2003

An act to add Section 21168.10 to the Public Resources Code, relating to environmental quality.

LEGISLATIVE COUNSEL'S DIGEST

AB 1194, as introduced, Dutra. Environmental quality: settlement terms.

The existing California Environmental Quality Act (CEQA) generally requires a lead agency to prepare, or cause to be prepared, and certify the completion of, an environmental impact report on a project, as defined, that it proposes to carry out or approve that may have a significant effect on the environment, as defined. CEQA requires the lead agency to determine whether a project may have a significant effect on the environment based on substantial evidence in light of the whole record, and requires a court, in an action or proceeding challenging an action of a public agency on the grounds of noncompliance with the act, to determine whether the action of the agency is supported by substantial evidence in light of the whole record. If a court finds that a determination, finding, or decision of a public agency has been made without compliance with CEQA, the court is required to enter an order, as specified.

This bill would limit the settlement terms of an action brought pursuant to CEQA as specified.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 21168.10 is added to the Public
2 Resources Code, to read:
3 21168.10. The settlement terms of an action brought pursuant
4 to this division are limited to the requirements set forth in Section
5 21168.9.

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